



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

OCT 13 2016

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-101

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Notice of Violation

The Honorable Ron Jacobson
Mayor, City of Post Falls
408 North Spokane Street
Post Falls, Idaho 83854

Re: City of Post Falls Water Reclamation Facility
NPDES Permit Number ID-002585-2

Dear Mayor Jacobson:

On September 30, 2014, the U.S. Environmental Protection Agency (EPA) issued a National Pollutant Discharge Elimination System (NPDES) permit to the City of Post Falls ("City") for its wastewater reclamation facility ("Facility"), NPDES Permit Number ID-002585-2 ("Permit"). The Permit became effective on December 1, 2014, and will expire on November 30, 2019. The purpose of this letter is to notify you of violations EPA discovered upon review of administrative files, including the Discharge Monitoring Reports (DMRs) submitted by the Facility, and in response to the inspection of the Facility conducted by EPA on September 22, 2015. The purpose of the inspection was to determine the Facility's compliance with the requirements of the Clean Water Act (CWA) and the NPDES Permit. I would like to express my appreciation for your staff's time and cooperation during the inspection.

ADMINISTRATIVE FILE REVIEW

1. EPA reviewed DMRs from July 2011 through August 2016 and identified effluent limitation exceedances that constitute 474 violations of the CWA, 33 U.S.C. § 1251 *et seq.* A list of these violations is enclosed (Enclosure A).
2. Part II.B of the Permit states, in part, "The permittee must provide written notice to EPA and IDEQ that it has implemented the phosphorus management plan as an electronic attachment to a DMR by June 20, 2016."

Upon review of administrative files from July 2011 through August 2016, EPA discovered that the Facility was late in submitting the notice of implementation of the Phosphorus Management Plan. The report was due, through electronic filing, on June 20, 2016; however, EPA did not receive the document until July 21, 2016. This is a violation of Part II.B of the Permit.

3. Part III.B of the Permit states, "After May 31, 2015, the permittee must submit monitoring data and other reports electronically using NetDMR."

Part III.B.2 of the Permit states, in part, "Monitoring data must be submitted electronically to EPA no later than the 20th of the month following the completed reporting period. All reports required under this permit must be submitted to EPA as a legible electronic attachment to the DMR."

Upon review of administrative files from July 2011 through August 2016, EPA discovered that the Facility was late in submitting the total residual chlorine parameter for the monitoring period of February 2016. The parameter was due by March 20, 2016 but EPA did not receive the data until June 23, 2016. This is a violation of Part III.B.2 of the Permit.

SEPTEMBER 2015 INSPECTION

Part II.C of the Permit states, in part, "The permittee must develop a quality assurance plan (QAP) for all monitoring required by this permit."

Part II.C.3 of the Permit states, in part, "At a minimum, the QAP must include the following: ...Details on...preservation of samples..."

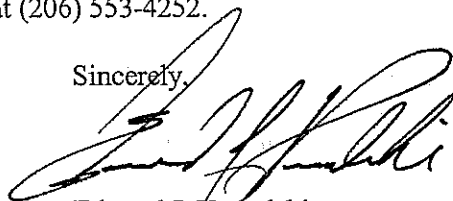
Part III.C of the Permit states, "Monitoring must be conducted according to test procedures approved under 40 CFR 136, unless other test procedures have been specified in this permit or approved by EPA as an alternate test procedure under 40 CFR 136.5."

At the time of the inspection, the inspector noted that the Facility was preserving alkalinity samples with nitric acid (HNO₃). According to 40 CFR 136, the alkalinity samples should be preserved by cooling to <6°C. Failure to preserve alkalinity samples properly is a violation of Part III.C of the Permit.

Although our goal is to ensure NPDES facilities comply fully with their permits, the ultimate responsibility rests with the permittee. As such, I want to strongly encourage you to continue your efforts to maintain full knowledge of the Permit requirements, and other appropriate statutes, and to respond appropriately to ensure compliance. Notwithstanding your response to this letter, EPA retains all rights to pursue enforcement actions to address these and any other violations.

I have enclosed a copy of the inspection report (Enclosure B). If you have any questions concerning this matter, please call Raymond Andrews of my staff at (206) 553-4252.

Sincerely,



Edward J. Kowalski
Director

Enclosures

cc w/enc: Mr. Tyler Fortunati
Idaho Department of Environmental Quality

Mr. John Beacham
City of Post Falls, Environmental Manager

cc w/o encl: Mr. Daniel Redline
IDEQ, Coeur d'Alene Regional Administrator

Mr. Donald Ellis, Jr.
City of Post Falls, City Manager